SINGLE BENCH

CF 100L

**IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR**

**W.P. (S) No. 926 / 2007**

**PETITIONER** : Luman Singh Nirmalkar
S/o. – Late Shri Domar Singh
Aged about – 22 years
R/o- Village Tawera , Tahsil- Gunderdehi , Distt.- Durg (C.G.)

1166/07 Ravi Mishra 9/2/07

**VERSUS**

**RESPONDENTS** 1. State of Chhattisgarh
Through Secretary,
Public Works Department, D.K.S. Bhawan, Raipur (C.G.)

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2. Executive Engineer,
Public Works Department (B/R)
Balod Division Balod, Distt.- Durg (C.G.)

OATH COMMISSIONER APARNA MALVIYA CG 973/94 Bilaspur Chhattisgarh

**WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.**

(41)

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**W.P (S) No. 926 of 2007**

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**Single Bench:Hon'ble Shri Satish K. Agnihotri, J.**

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Petitioner : Luman Singh Nirmalkar

Versus

Respondents : State of Chhattisgarh and another

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Present: Mr. Anup Majumdar, counsel for the petitioner.
Ms. Deepali Pandey, Panel Lawyer for the State/respondents.

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ORDER

(Passed on 19th Day of February, 2007)

It is one of the unfortunate cases where the petitioner has rushed to this Court immediately after filing an application on 14.11.2006 for compassionate appointment.

2. The petitioner ought to have waited for sufficient time as the office has to require investigation about divest conditions of the dependent of the deceased and other factors, asto whether the petitioner is entitled to compassionate appointment or not.

3. It is well settled principle of law that compassionate appointment is not by way of right. It amounts to back door entry.

4. Be that as it may, the petitioner is at liberty to move appropriate authority for deciding his representation expeditiously. In the event, if some representation is pending the same be considered as expeditiously as possible within a period of eight weeks from the date of a receipt of copy of this order.

5. Thus, the writ petition is disposed of with above stated liberty. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge